



September 14, 2010

**Via ECFS**

Ms. Marlene Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

Re: *In the Matter of Video Device Competition: Implementation of Section 304 of the Telecommunications Act of 1996; Commercial Availability of Navigation Devices; Compatibility Between Cable Systems and Consumer Electronics Equipment*  
MB Docket No. 10-91; CS Docket No. 97-80; PP Docket No. 00-67

Dear Ms. Dortch:

Cox Communications, Inc. ("Cox") and TiVo Inc. ("TiVo") are pleased to submit this joint letter informing the Federal Communications Commission ("FCC" or "Commission") of a recent agreement ("Agreement") between the two companies ("Companies") that promotes consumer choice and innovation in video services and devices. Cox and TiVo are proud to be partners in this groundbreaking Agreement, which is discussed in more detail below.

On August 12, 2010, the Companies announced that Cox will offer its subscribers in some of the major Cox markets the option to access integrated Cox On DEMAND services through a TiVo Premiere digital video recorder ("DVR") purchased at retail.<sup>1</sup> This Agreement represents the first time that a cable operator will make its entire video on demand ("VOD") library available via retail DVR. Similarly, the Agreement represents the first time that a retail unidirectional digital cable product ("UDCP") will fully integrate a cable VOD service with linear multichannel video programming distributor ("MVPD") television service, as well as access to OTT video and the proprietary features of the UDCP.

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<sup>1</sup> The TiVo Premiere and TiVo Premiere XL include a high-definition ("HD") user interface for optimized searching, and record up to 45 hours and 150 hours, respectively, of HD programming, which can be scheduled online or from a mobile phone. Consistent with the Commission's focus on access to over-the-top ("OTT") video via television screens, the TiVo Premiere allows access to a wide variety of broadband content, including YouTube, FrameChannel, Podcaster, and the world's largest on-demand video store, with offerings from TiVo's online partners Netflix, Amazon Video On Demand, and Blockbuster Video On Demand. Cox subscribers using a TiVo Premiere will also have access to TiVo's entire suite of advanced features including multi-room viewing, interactive applications, and TiVoToGo.

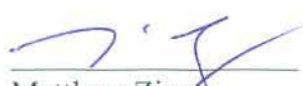
Cox recognizes that its customers are attracted to a growing range of devices that enable access to broadband content and interactive capabilities, and Cox wants to maximize its customers' ability to access a full range of services, including Cox's services, with these devices. Similarly, TiVo seeks to increase the content its customers can access through the TiVo user interface. These services historically have not been available to UDCP customers on Cox's or other cable operators' systems. Thus, the Agreement is most notable for the creative, collaborative manner in which Cox has agreed to make the Cox VOD library available to TiVo users. Specifically, although customers using a TiVo Premiere will use a CableCARD to access the vast majority of Cox's Advanced TV offerings, including up to 400 channels of linear video programming, sports packages, and other content, they will use their Cox high-speed broadband connection to order and control free and premium offerings from the Cox VOD library.<sup>2</sup> Cox and TiVo have agreed that the Cox VOD offerings will be displayed by TiVo's user interface along with other options for video programming; the Cox On DEMAND offering will, therefore, compete with the offerings of Netflix, Amazon, and Blockbuster available through TiVo.

Cox and TiVo also have agreed to educate and support Cox customers regarding the UDCP/VOD option. As part of the Agreement, the applicable Cox markets will: promote TiVo Premiere to its subscribers via Cox's website, cross-channel advertising, and direct marketing; support TiVo Premiere as an optional set-top box; and provide free installation for TiVo Premiere boxes purchased by Cox subscribers at Best Buy and other retail and online outlets including TiVo's own website.

The Agreement underscores the potential for partnership between MVPDs and retail consumer electronics manufacturers to create cost-effective solutions for their mutual customers to access broadband content, OTT video, and MVPD VOD libraries. Cox and TiVo are proud to be the first team to deliver the full wealth of television and movie choices available from a cable operator in seamless combination with a retail device's user interface and access to broadband content, including OTT video.

Please direct any questions regarding this letter or the Agreement to the undersigned.

Respectfully submitted,



Matthew Zinn  
Senior Vice President, General Counsel,  
Secretary & Chief Privacy Officer

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<sup>2</sup> Cox continues to deploy and support tuning adapters to allow the TiVo Premiere and other UDCPs to access SDV channels.